

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

1:05-cr-10081-MLW-ALL

ALEX S. NEWMAN

**GOVERNMENT'S ASSENTED TO MOTION TO ENLARGE  
THE TIME TO FILE PROPOSED JURY INSTRUCTIONS**

The United States submits this to Motion to Enlarge the Time to File Proposed Jury Instructions, and in support thereof states:

On December 5, 2005, the court issued a Pre-Trial Order directing the parties to file proposed jury instructions on or before December 22, 2005.

The government has prepared proposed jury instructions that, generally speaking, identify and describe the elements of the charged offenses. The government respectfully requests permission to file the proposed instructions outside of the time period established by the court's Pre-Trial Order.

Despite diligent efforts to do so, the undersigned government attorney has been unable to speak with the defendant's lawyer, Julianne Balliro, to obtain her assent to this motion. On December 30, 2005, an employee of Attorney Balliro's law firm informed the undersigned government attorney that Attorney Balliro has been out of town for a few days and was not expected to return to her office until next week.

No legal memorandum is necessary.

Respectfully submitted,

MICHAEL SULLIVAN  
United States Attorney

By: /s/ Robert M. Kinsella  
Robert M. Kinsella  
Special Assistant United States Attorney  
U.S. Attorney's Office  
District of New Hampshire  
53 Pleasant St., 4<sup>th</sup> Floor  
Concord, New Hampshire 03301  
(603) 225-1552

**Certificate of Service**

I hereby certify that on December 30, 2005, I caused the foregoing to be filed electronically and sent via electronic mail to:

Juliane Balliro, Esq.  
Wolf, Block, Schorr & Solis-Cohen  
1 Boston Place  
Boston, Massachusetts 02108  
jballiro@WOLFBLOCK.com

/s/ Robert M. Kinsella  
**Robert M. Kinsella**  
Special Assistant United States Attorney